

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

GILEAD SCIENCES, INC., et al.,	:	
	:	
Plaintiffs,	:	Case No. 21-cv-4106 (AMD) (RER)
	:	
v.	:	FILED UNDER SEAL
	:	PURSUANT TO 15 U.S.C. § 1116(d)
SAFE CHAIN SOLUTIONS, LLC, et al.,	:	
	:	
Defendants.	:	

**STIPULATION AND [PROPOSED] ORDER MODIFYING THE ASSET FREEZE AS
TO THE TOTAL REMEDY DEFENDANTS**

WHEREAS, on July 30, 2022, Plaintiffs Gilead Sciences, Inc., Gilead Sciences Ireland UC, and Gilead Sciences, LLC (together, “Gilead” or “Plaintiffs”) filed their proposed Fourth Amended Complaint and sought a temporary restraining order, asset freeze order, and *ex parte* seizure against, *inter alia*, Defendants Everything Pharmacy Related II, Inc. d/b/a Total Remedy and Prescription Center and Mohammad Etminan (collectively the “Total Remedy Defendants”);

WHEREAS, on August 11, 2022, the Court entered the Fourth Amended Complaint, the Temporary Restraining Order and Order to Show Cause for a Preliminary Injunction, an Asset Freeze Order, and Seizure Order (Dkt. Nos. 626-629);

WHEREAS, on August 23, 2022, the Court entered an Order extending and modifying the Asset Freeze Order, Seizure Order, and Temporary Restraining Order and Order to Show Cause (Dkt. No. 642);

WHEREAS Plaintiffs and the Total Remedy Defendants have agreed to unfreeze four accounts held by RVC Valley, Inc. and Holy Cross Hospice Inc. while leaving the remainder of the freeze in place;

NOW THEREFORE, UPON THE STIPULATION AND AGREEMENT by and between the undersigned counsel for Plaintiffs and the Total Remedy Defendants, it is hereby ORDERED that:

1. The Court's August 11, 2022 Asset Freeze Order is hereby MODIFIED as follows:
 - a. Any bank, brokerage house, or financial institution holding frozen assets under the Asset Freeze Order shall continue to hold such assets except as set forth in this Order.
 - b. Counsel for Plaintiffs or the Total Remedy Defendants may immediately serve this Order upon Wells Fargo.
 - c. Upon service of this Order upon Wells Fargo, Wells Fargo shall immediately unfreeze the frozen accounts ending with 7989 and 5062 (account holder or signatory: RVC Valley, Inc.) and the frozen accounts ending with 0015 and 9265 (account holder or signatory: Holy Cross Hospice Inc.).
 - d. For the avoidance of doubt, Wells Fargo shall not unfreeze any other accounts.
- ~~Case 1:22-cv-01109-VND-CLW Document 3-1 Filed 08/11/22 Page 1 of 1~~
e. Except to the extent inconsistent with this Order, the provisions of the Court's Asset Freeze Order shall remain in effect.
2. The Total Remedy Defendants shall not directly or indirectly receive any funds or assets of any kind from RVC Valley, Inc. and Holy Cross Hospice Inc. pending further order of the Court.

3. The Total Remedy Defendants each agree to accept service of the following papers through counsel via e-mail:
- a. Fourth Amended Complaint (and supporting exhibits)
 - b. Ex Parte Motion for Relief
 - c. Memorandum of Law in Support of Ex Parte Motion (and supporting exhibits)
 - d. Order Granting Leave to File Fourth Amended Complaint (Dkt. No. 626)
 - e. Order Granting Asset Freeze Against Newly Named Defendants (Dkt. No. 627)
 - f. Order Granting Temporary Restraining Order and Order to Show Cause for a Preliminary Injunction (Dkt. No. 628)
 - g. Order Granting Seizure Order (Dkt. No. 629)
 - h. Summons and Summons Rider, dated August 11, 2022
 - i. Declaration of Geoffrey Potter (and supporting exhibits)
 - j. Declaration of Susmitha Sunkara (and supporting exhibits)
 - k. Declaration of Hannah Coleman (and supporting exhibits)
 - l. Declaration of Harpreet Dhanota
 - m. Declaration of Patrick McAllister

Case 1:21-cv-01008-WMD-JAM Document 642 Filed 08/15/22 Page 3 of 6 PageID #: 12182

n. Declaration of Dawn Cento

o. Declaration of Amanda LaFretta

p. Declaration of Gabriel Calderon


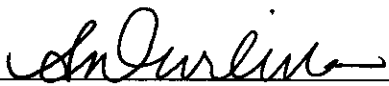
q. Declaration of Robert Wigley

4. Plaintiffs and the Total Remedy Defendants do not waive and reserve all rights and remedies not specifically addressed herein.

5. Signatures transmitted electronically or by facsimile shall be deemed original.

Dated: August 26, 2022

Respectfully submitted,

 GEOFFREY POTTER ARON FISCHER TIMOTHY A. WATERS THOMAS P. KURLAND GIZELE RUBEIZ PATTERSON BELKNAP WEBB & TYLER LLP 1133 Avenue of the Americas New York, NY 10036-6710 Tel: (212) 336-2000 Fax: (212) 336-2222 gpotter@pbwt.com afischer@pbwt.com twaters@pbwt.com tkurland@pbwt.com grubeiz@pbwt.com <i>Attorneys for Plaintiffs</i>	 RICHARD D. TRENK SATISH POONDI SYDNEY DARLING TRENK ISABEL SIDDIQI & SHAHDANIAN P.C. 290 W. Mt. Pleasant Ave. Livingston, NJ 07039 Tel: (973) 535-0839 rtrenk@trenkisabel.law spoondi@trenkisabel.law sdarling@trenkisabel.law
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SO ORDERED

Issued:

CERTIFICATE OF SERVICE

I hereby certify, that on August 26, 2022, I served the foregoing upon counsel of record via ECF, which will be made available to counsel upon the unsealing of the foregoing.

/s/ Andrew Haddad